

BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW
8110 GATEHOUSE ROAD
SUITE 100 EAST
FALLS CHURCH, VA 22042-1248
U S A

(703) 205-8000
FAX: (703) 205-8050
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com
web: <http://www.bskb.com>

OTHER OFFICES:
CARLSBAD, CALIFORNIA
COSTA MESA, CALIFORNIA
LOS ANGELES, CALIFORNIA

SENIOR COUNSEL:
JOSEPH A. KOLASCH

SCOTT L. LOWE
PAUL C. LEWIS
RICHARD GALLAGHER
MARYANNE ARMSTRONG, PH.D.
KECIA J. REYNOLDS
KALPANA REDDY
ESTHER H. CHONG
CATHERINE M. VOISINET*
EUGENE T. PEREZ
CAROLYN T. BAUMGARDNER
MARTIN R. GEISSLER*
J. ALISON GRABELL*
T. BENJAMIN SCHROEDER
PERCY L. SQUARE
HYUNG N. SOHN
CLINT A. GERDINE
CRAIG A. MCROBBIE
WILLIAM F. NIXON*
DANIEL K. DORSEY
MATTHEW T. SHANLEY
GARTH M. DAHLEN, PH.D.
ROBERT E. GOOZNER, PH.D.

REG. PATENT AGENTS:
FREDERICK R. HANDREN
MAKI HATSUMI
KRISTI L. RUPERT, PH.D.
SUSAN W. GORMAN, PH.D.
ROBERT W. DOWNS
CHAD J. BILLINGS
CARL T. THOMSEN
JASON W. RHODES
SAM BHATTACHARYA

TERRELL C. BIRCH
RAYMOND C. STEWART
JAMES M. SLATTERY
MICHAEL K. MUTTER
CHARLES GORENSTEIN
GERALD M. MURPHY, JR.
LEONARD R. SVENSSON
ANDREW D. MEIKLE
MARC S. WEINER
JOE MCKINNEY MUNCY
ROBERT J. KENNEY
JOHN W. BAILEY
MARK J. NUELLE, PH.D.
JAMES T. ELLER, JR.
D. RICHARD ANDERSON
THOMAS M. SMALL*
ROBERT A. SELDON*
JOHN A. SCILLIERI*
SANFORD ASTOR*

OF COUNSEL:
HERBERT M. BIRCH (1905-1996)
BERNARD L. SWEENEY*
ELLIOT A. GOLDBERG*
WILLIAM L. GATES*
EDWARD H. VALANCE
RUPERT J. BRADY (RET.)*
F. PRINCE BUTLER
FRED S. WHISENHUNT (RET.)
JAMES W. HELLWEGE
QUENTIN R. "RICK" CORRIE
ROBERT F. GNUSE
DAVID R. MURPHY
ROBERT M. ASHEN*
MICHAEL R. CAMMARATA

*ADMITTED TO A BAR OTHER THAN VA.

Date: December 5, 2003

Docket No.: 3560-0135P

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c).

Inventor(s): Jan Jacob Wouter LAGENDIJK and
Marinus Adriaan MOERLAND

For: Device for image guided automated insertion of an elongated an elongated hollow needle to a desired location in an animal body for effecting radiation therapy of cancerous tissue.

Enclosed are:

- ☒ A specification consisting of nineteen (19) pages
- ☒ Four (4) sheet(s) of formal drawings
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27

- ☐ Applicant does not claim priority
- ☒ Applicant claims the right of priority under the provisions of 35 U.S.C. § 119 and 37 C.F.R. § 1.55(a) based on Application No(s). 03075257.0 filed in Europe on January 27, 2003.
- ☐ Certified copy(ies) is(are) attached hereto.
- ☒ Certified copy(ies) will follow.
- ☒ Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
- ☐ Application Data Sheet in accordance with 37 C.F.R. § 1.76
- ☒ Preliminary Amendment
- ☒ Information Disclosure Statement, PTO-1449 and reference(s)
- ☒ Other: Information Sheet
- ☐ Applicant requests early publication - \$300.00 publication fee
- ☐ Non-publication Request and Certification under 35 U.S.C. § 122(b) (2) (B) (i)

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	17-20=	0	x 18 = \$0.00	x 9= \$0.00
INDEPENDENT CLAIMS	1-3=	0	x 86 = \$0.00	x43= \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$770.00	\$0.00

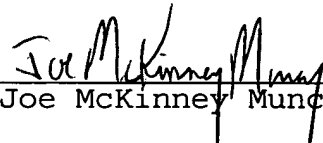
- ☒ The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The original duly executed declaration together with the surcharge will be forwarded in due course.

- ☒ A check in the amount of \$770.00 to cover the filing fee is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☒ Please send correspondence to:
BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Joe McKinney Muncy, #32,334

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

KM/rem
3560-0135P

Attachment(s)

(Rev. 11/30/03)

IN THE U.S. PATENT AND TRADEMARK OFFICE

I N F O R M A T I O N S H E E T

Applicant: Jan Jacob Wouter LAGENDIJK and
Marinus Adriaan MOERLAND

Appl. No.: New

Filed: December 5, 2003

For: DEVICE FOR IMAGE GUIDED AUTOMATED
INSERTION OF AN ELONGATED AN ELONGATED
HOLLOW NEEDLE TO A DESIRED LOCATION IN
AN ANIMAL BODY FOR EFFECTING RADIATION
THERAPY OF CANCEROUS TISSUE.

Priority Claimed Under 35 U.S.C. § 119 and/or § 120:

Europe 03075257.0 January 27, 2003

Send Correspondence to:


BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

The above information is submitted to advise the U.S.P.T.O.
of all relevant facts in connection with the present application.

A timely executed Declaration in accordance with 37 C.F.R.
§ 1.64 will follow.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Joe McKinney Muncy, #32,334

KM/rem
3560-0135P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000